

6-1-1984

Institutional Aspects of Fishery Management under the New Regime of the Oceans

J. E. Carroz

Follow this and additional works at: <https://digital.sandiego.edu/sdlr>



Part of the [Law of the Sea Commons](#)

Recommended Citation

J. E. Carroz, *Institutional Aspects of Fishery Management under the New Regime of the Oceans*, 21 SAN DIEGO L. REV. 513 (1984).

Available at: <https://digital.sandiego.edu/sdlr/vol21/iss3/3>

This Article is brought to you for free and open access by the Law School Journals at Digital USD. It has been accepted for inclusion in *San Diego Law Review* by an authorized editor of Digital USD. For more information, please contact digital@sandiego.edu.

Institutional Aspects of Fishery Management Under the New Regime of the Oceans

J.E. CARROZ*

The establishment of exclusive economic zones necessitates the alteration of institutional arrangements developed over the last decades to promote international cooperation in the management of fisheries. This Article reviews the changes already made or envisaged in light of the relevant provisions of the 1982 United Nations Convention on the Law of the Sea and the biological characteristics of the living resources of the sea.

INTRODUCTION

The 1982 United Nations Convention on the Law of the Sea¹ has affected fisheries management by establishing 200-nautical-mile off-shore areas, which bring most living resources under the authority and control of coastal States.² On a worldwide basis, these areas cover about thirty-five percent of the surface of the oceans, and contain more than ninety-five percent of the living resources under commercial exploitation.³ Most commercial exploitation is conducted

* Assistant Director-General (Fisheries Department), Food and Agriculture Organization of the United Nations and Secretary-General of the Food and Agriculture Organization World Conference on Fisheries Management and Development. Any views expressed in this article are those of the author and do not necessarily represent the views of the Food and Agriculture Organization.

1. U.N. Doc.A/CONF.62/122 (1982)[hereinafter cited as 1982 Convention]. The Convention was signed by 117 nations on December 10, 1982.

2. *Id.* art. 56.1. The 200-mile offshore area includes the territorial sea and exclusive economic zone. *See id.* art. 57.

3. Report of the ACMRR Working Party on the Scientific Basis of Determining Management Measures (Hong Kong, Dec. 10-15, 1979), FAO Fisheries Report No. 236 at 1.

within 200 nautical miles from the coast, except for tuna⁴ and whale fisheries. No known resources exist only in the high seas.⁵

The extension of national jurisdiction does not mean, however, that coastal States may now manage all their living resources in isolation. One characteristic of marine living resources is their mobility. All species are mobile for at least part of their lives, however, the extent of their movement varies considerably from one species to another.⁶ In their migration patterns, fish take no heed of artificial lines drawn by man for jurisdictional purposes. Hence, intergovernmental cooperation must continue for the conservation and management of shared stocks or shared fisheries. In most cases, the number of countries directly responsible for the management of a given stock or fishery will be smaller under the new regime of 200-mile jurisdictions than under the previous regime of open access. But the governments concerned still must collaborate either on an ad hoc basis or, as has been found more convenient in the past, within the framework of standing commissions.

This Article will describe briefly the establishment over the last decades of a network of regional fishery bodies and will analyze the effect of the 1982 Convention provisions concerning institutional aspects of fishery management. This article then will review the adjustments already made to existing institutions and the creation of new institutions resulting from the establishment of exclusive economic zones.⁷

INSTITUTIONAL ARRANGEMENTS FOR INTERNATIONAL COOPERATION IN FISHERIES UNDER THE PREVIOUS REGIME OF THE OCEANS

The usefulness of intergovernmental cooperation in fishery conservation and management was considered by the League of Nations. In 1927, the Assembly of the League requested its Economic Committee "to study, in collaboration with the International Council for the Exploration of the Sea . . . the question whether and in what terms, for what species and in what areas, international protection of

4. About 40% of the tuna stock is caught on the high seas. Peres, *Evaluation des ressources vivantes dans les zones économiques et au-delà*, LA PÊCHE ET LE RENOUVELLEMENT DU DROIT DE LA MER, COLLOQUE INTERNATIONAL 37-42 (Marseille, 26 Mai 1975).

5. Carroz, *Les problèmes de la pêche dans la Convention sur le droit de la mer et la pratique des Etats*, LE NOUVEAU DROIT INTERNATIONAL DE LA MER 196 (Paris, 1983).

6. FAO, ATLAS OF THE LIVING RESOURCES OF THE SEAS 15 FAO Fisheries Series at 5-9 (1981).

7. The article deals only with the intergovernmental bodies directly involved in formulating and recommending management measures for specific stocks or fisheries.

marine fauna could be established."⁸ The International Council for the Exploration of the Sea advised the League of Nations that

fishery problems were so localized as to be of interest only to those nations whose fishermen have access to the localities and fisheries concerned and, if and when the necessity for regulation of any of the local fisheries arose, it would be a matter for treatment by agreement between the nations interested and between them alone.⁹

The council, however, noted that the whaling situation was different. The migratory patterns of whales required effective conservation measures to be formulated on a wider basis.¹⁰ State practice apparently has followed the council's advice since only whales are managed on a worldwide basis.

A few regional fishery commissions were established before World War II for the conservation and management of particular fish stocks, such as halibut and salmon in the northeastern Pacific. Most of the existing commissions, however, were established after the war for the conservation and rational exploitation of particular species or of all living resources in specific sea areas. At its earliest sessions in 1946 and 1947, the Conference of the Food and Agriculture Organization of the United Nations (FAO) recommended that the organization initiate the formation of regional fishery commissions and listed priority sea areas. The FAO established fishery commissions in areas off the coasts of predominantly developing countries, such as the Indo-Pacific area, the Indian Ocean, the Mediterranean, the Caribbean, and part of the Atlantic. Several regional fishery commissions also were established outside the framework of the FAO by interested States, particularly in the eastern and northern Pacific, the southeastern and northern Atlantic, the Baltic Sea, the Black Sea, and the Antarctic.

Factors contributing to the successful operation of regulatory fishery bodies were examined in some detail by the International Technical Conference on the Conservation of the Living Resources of the Sea in 1955.¹¹ The Technical Conference concluded that a treaty-based network that took into account the geographical and biological distribution of marine populations was generally the most

8. League of Nations Doc. A.18, 1927 V, at 7 (1927).

9. I.C.E.S., Vol. XLIX, Proceedings, 21st meeting at 112 (Copenhagen, June 1928).

10. *Id.*

11. The Technical Conference was convened by the United Nations in 1955 in preparation for the United Nations Conference on the Law of the Sea in Geneva in 1958.

suitable from scientific and technical perspectives.¹² The conference's conclusion was similar to that reached by the International Council for the Exploration of the Sea in 1928.¹³

Although the 1958 Convention on Fishing and Conservation of the Living Resources of the High Seas¹⁴ did not refer to intergovernmental fishery bodies, the role that such bodies might play was noted in two resolutions adopted by the First United Nations Conference on the Law of the Sea. The first resolution recognized the usefulness of "international conservation organizations" and encouraged States to create such organizations to establish conservation regimes, negotiate and implement conservation measures, and settle disagreements.¹⁵ The second resolution, more limited in scope, recommended that coastal States cooperate with competent "international conservation organizations" where stocks of fish inhabited seas both under the jurisdiction of coastal States and in the adjacent high seas.¹⁶

Over the years, more than twenty regional fishery commissions were established to cover nearly all the world's seas and oceans. This network developed when the application of conservation measures and regulation of the conduct of fishing operations on the high seas could only be achieved through international agreements. Although most of these regional fishery commissions still exist today, they have been or are being adjusted to reflect the extension of national jurisdiction over fisheries.

THE UNITED NATIONS CONFERENCE AND CONVENTION ON THE LAW OF THE SEA

The 1982 Convention includes several references to the role of subregional and regional organizations in the conservation and management of fisheries.¹⁷ Before reviewing the relevant provisions of the Convention, a brief discussion of several interesting proposals submitted to the Third United Nations Conference on the Law of the Sea (UNCLOS III) may be worthwhile, even though the proposals were not entertained.¹⁸

The most far-reaching project, tabled by the delegation of Malta in 1971 and revised in 1973, entrusted new international institutions with fairly wide powers over the entire ocean space and its resources.¹⁹ The Malta project, however, did not receive much support;

12. Report of the International Technical Conference on the Conservation of the Living Resources of the Sea, U.N. Doc. A/CONF.10/6, at 9 (1955).

13. See *supra* text accompanying note 9.

14. Apr. 29, 1958, 17 U.S.T. 138, T.I.A.S. No. 5969, 559 U.N.T.S. 285.

15. See 52 AM. J. INT'L L. 865-66.

16. *Id.*

17. See *infra* notes 23-30.

18. The proposals were presented at an early stage of the negotiations.

19. 26 U.N. GAOR Supp. (No. 21) (A/8421) at 105-93, U.N. Doc. A/AC 138/

nor did less ambitious proposals submitted by Lebanon, Kuwait, and Singapore, which envisaged the establishment of a new organization to regulate the exploitation of all living resources outside the territorial sea or which assigned this task to the prospective International Seabed Authority.²⁰ In fact, UNCLOS III gave little consideration to suggestions that were limited to the international regulation of fisheries beyond exclusive economic zones or the outer limit of the continental shelf. For example, China suggested the creation of an international organization to regulate fisheries in areas beyond national jurisdiction.²¹ Pakistan and Guyana suggested that the ocean space beyond national limits be treated as a single entity with no distinction between living and nonliving resources for conservation, exploration, and exploitation purposes. The countries proposed that the International Seabed Authority be vested with comprehensive powers covering all resources.²²

Within the 1982 Convention, UNCLOS III made no attempt to define the mechanisms that governments should adopt for the conservation and management of fish stocks of interest to more than one State. The Convention limits itself to general principles regarding intergovernmental cooperation.

Several different situations are envisaged in the Convention. The first situation, which is by far the most common and occurs in nearly all sea areas, concerns fish stocks that migrate along the coastlines and are found within the exclusive economic zones of two or more States. The 1982 Convention requires coastal States sharing the same stock or stocks of associated species to agree directly or "through appropriate subregional or regional organizations" upon

53 (1971). *See also* 28 U.N. GAOR Supp. (No. 21) (A/9021) (Vol. III) at 64, U.N. Doc. A/AC 138/SC II/L.28 (1973).

20. See the statements made by the delegate of Lebanon at the seventeenth session of Sub-Committee I of the Sea-Bed Committee acting as preparatory committee for the Third United Nations Conference on the Law of the Sea (U.N. Doc. A/AC 138/SC I/SR. 17); by the delegate of Kuwait at the thirty-seventh plenary meeting of the Conference (Official Records, Vol. I, p. 156); by the delegate of Singapore at the Twenty-Seventh Meeting of the Second Committee of the Conference (Official Records, Vol. II, p. 211).

21. See U.N. Doc. A/AC 138/SC II/L 45 submitted to the Sixth Session of the Sea-Bed Committee; U.N. GAOR Supp. (No. 21) at 101. See also the statement made by Lesotho at the Forty-second Plenary Meeting of the Conference, Official Records, Vol. I, p. 185.

22. Statement by the delegate of Pakistan to the Thirty-Fifth Plenary Meeting of the Conference: Official Records of the Conference, Vol. I, p. 146; statement by the delegate of Guyana to the Thirty-First Meeting of the Second Committee, Official Records of the Conference, Vol. II, p. 237.

the measures necessary to coordinate and ensure the conservation and development of the stocks.²³ Another situation occurs less frequently and mainly in the Southwest Atlantic, North Atlantic, and part of the Southwestern Pacific. This situation relates to stocks — other than those described as highly migratory stocks — which migrate between an exclusive economic zone and the high seas. In this case, the coastal State and the States fishing for these stocks in the high seas adjacent to the exclusive economic zone must agree upon the measures necessary for the conservation of the resources in the adjacent high seas area. As in the first situation, agreement may be sought either directly or through appropriate subregional or regional organizations.²⁴

The 1982 Convention is somewhat more specific as to situations involving highly migratory species, marine mammals, and anadromous species. With highly migratory species,²⁵ coastal States and States fishing for such species in a given region must cooperate to ensure the conservation and optimum utilization of the species throughout the region, both within and beyond the exclusive economic zone. Again, such cooperation may be achieved directly or through appropriate international organizations. However, the Convention provides that in regions for which no appropriate international organization exists, the States concerned “shall cooperate to establish such an organization and participate in its work.”²⁶ In dealing with marine mammals, the Convention emphasizes that, in the particular case of cetaceans, States shall “work through the appropriate international organizations for their conservation, management and study.”²⁷ Lastly, the Convention requires that States in whose rivers anadromous stocks originate and other States fishing these stocks at sea shall, where appropriate, use regional organizations for the conservation and exploitation of the stocks.²⁸

The provisions on the conservation and management of shared stocks and highly migratory species cover most fisheries, whether conducted in areas under national jurisdiction or on the high seas. This explains why States’ rights under the Convention to fish in the high seas are limited by these provisions.²⁹ However, the practical value of requiring States to “cooperate to establish subregional or regional fisheries organizations”³⁰ for the conservation and management of living resources in the high seas is not readily apparent.

23. 1982 Convention, *supra* note 1, at art. 63, para. 1.

24. *Id.* art. 63, para. 2.

25. For a list of highly migratory species, see *id.* at Annex I.

26. *Id.* art. 64, para. 1.

27. *Id.* art. 65.

28. *Id.* art. 66, para. 5.

29. *Id.* art. 116(b).

30. *Id.* art. 118 (emphasis added).

ADJUSTMENT AND ESTABLISHMENT OF
REGIONAL FISHERY COMMISSIONS

The extension of national jurisdiction has led coastal States in most sea areas to request the revision or renegotiation of conventions establishing the fishery commissions serving those areas. Substantive amendments to existing conventions or entirely new conventions already have been adopted in many cases.

The Fishery Committee for the Eastern Central Atlantic,³¹ established within the framework of the FAO to manage marine fisheries off West Africa between Zaire and Morocco, was the first commission to adjust to the emerging situation. The committee's membership includes twenty coastal States and ten long-distance fishing countries.³² When the committee held its third session in December 1972, nearly two-thirds of the member countries in the area had extended their jurisdiction beyond twelve nautical miles. At the request of those countries, which noted that national control over marine living resources was radically changing the question of how to consider, adopt, and implement management measures, the committee established a "Sub-Committee on Management of Resources within the Limits of National Jurisdiction." The subcommittee, comprised only of coastal States, may not only recommend appropriate management measures within its geographic sphere of competence, but may also advise the committee on the coordination of such measures with those in effect outside national limits.³³

Similarly, member countries of the International Commission for the Northwest Atlantic Fisheries³⁴ denounced the convention that established the commission after coastal State members extended their national jurisdiction in 1977. After a series of preparatory meetings

31. The Statutes of the Fishery Committee for the Eastern Central Atlantic were promulgated by the Director-General of the FAO on September 19, 1967, under Article VI-2 of the FAO Constitution, pursuant to Resolution 1/48 of the forty-eighth session of the FAO Council. *See* Report of the Forty-eighth Session of The Council of FAO at 7-8 (Rome, June 12-23, 1967).

32. Benin, Cameroon, Cape Verde, Congo, Cuba, France, Gabon, Gambia, Ghana, Greece, Guinea, Guinea-Bissau, Italy, Ivory Coast, Japan, Republic of Korea, Liberia, Mauritania, Morocco, Nigeria, Norway, Poland, Romania, Sao Tome and Principe, Senegal, Sierra Leone, Spain, Togo, USA, Zaire.

33. Report of the Third Session of the Fishery Committee for the Eastern Central Atlantic, FAO FISHERIES REP., NO. 132, para. 27.

34. 157 U.N.T.S. 158, T.I.A.S. No. 2053. The following countries were members of the Commission: Bulgaria, Canada, Cuba, Denmark, France, Federal Republic of Germany, German Democratic Republic, Iceland, Italy, Japan, Norway, Poland, Portugal, Romania, Spain, United Kingdom, USA and USSR.

and a diplomatic conference at Ottawa, the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries was opened for signature on October 24, 1978, and became effective on January 1, 1979.³⁵

The occurrence of important fish stocks beyond 200 nautical miles off the coast of Canada, particularly in the Grand Banks and Flemish Cap areas, explains the new institutional arrangements in the Northwest Atlantic. The new convention established the Northwest Atlantic Fisheries Organization, which consists of a general council, scientific council, fisheries commission, and secretariat.³⁶ All contracting parties are members of the general council, which is responsible for administrative and financial matters. Contracting parties also sit on the scientific council which provides a forum for consultation and cooperation concerning the scientific aspects of fisheries in the area covered by the convention.³⁷

The fisheries commission is responsible for the conservation and management of fishery resources beyond 200 nautical miles designated as the "regulatory area." The fisheries commission, comprised of contracting parties that participate in the fisheries of the regulatory area or that have provided evidence that they expect to participate within a set period, is empowered to adopt proposals for joint action by the member countries to achieve optimum utilization of the fishery resources in the area.³⁸ In formulating such proposals, the fisheries commission must consider: (a) the effect of the species interrelationship on a stock or group of stocks occurring both within the regulatory area and an area under the jurisdiction of coastal States; (b) any measures adopted by coastal States concerning the particular stock or group of stocks within coastal State waters; and (c) the interests of member countries whose vessels traditionally have fished within the regulatory area.³⁹ Furthermore, in the allocation of catches from the Grand Banks and Flemish Cap, the commission must give special consideration to the member state that has coastal communities primarily dependent upon fishing for stocks in

35. For the text of the convention, see 21 O.J. EUR. COMM. (No. C 271) 17-30 (1978) (Information and Notices) [hereinafter cited as Northwest Atlantic Fisheries Convention].

36. Members of the Commission are Bulgaria, Canada, Cuba, EEC, Denmark (for the Faroe Islands), German Democratic Republic, Iceland, Japan, Norway, Poland, Portugal, Romania, Spain and the USSR.

37. In particular, the scientific council tenders advice, upon request of coastal States members, on the scientific basis for the management and conservation of fishery resources in waters under coastal State jurisdiction. The council gives similar advice to the fisheries commission for the management and conservation of fisheries beyond the limits of national jurisdiction. Northwest Atlantic Fisheries Convention, *supra* note 33 at arts. VI & VII.

38. *Id.* art. XI.

39. *Id.*

these areas, and that has undertaken extensive efforts to ensure the conservation of such stocks through international action.⁴⁰

Member countries of the North-East Atlantic Fisheries Commission began in 1976 to consider the implications of the extension of national jurisdiction.⁴¹ Preparatory work was hastened in 1977 when seven member countries of the European Economic Community denounced the 1959 convention, which established the commission.⁴² A Conference of Plenipotentiaries convened in London in 1978 and further meetings by interested States in 1980 led to the signature on November 18, 1980, of the Convention on Future Multilateral Cooperation in North-East Atlantic Fisheries.⁴³ The new North-East Atlantic Fisheries Commission established by the convention may adopt recommendations concerning fisheries conducted beyond the national jurisdiction of member countries. In exercising its power, the commission must ensure consistency between: (a) any recommendation that applies to a stock or group of stocks occurring both within the national jurisdiction of a contracting party and beyond, or any recommendation that would have an effect, because of species interrelationship, on a stock or group of stocks occurring in whole or in part within the national jurisdiction of a contracting party; and (b) any measures or decisions by such contracting party for the management and conservation of that stock or group of stocks concerning fisheries conducted within the party's national jurisdiction. The commission also may adopt recommendations concerning fisheries conducted within the national jurisdiction of a contracting party, but only if the contracting party in question specifically requests and approves the recommendation.⁴⁴

As neither the Northwest Atlantic Fisheries Organization nor the North-East Atlantic Fisheries Commission deal with the salmon that

40. *Id.* In particular, to ensure the conservation of the stocks, the member state should provide surveillance and inspection of international fisheries on the Grand Banks and Flemish Cap under an international scheme of joint enforcement.

41. For the text of the North-East Atlantic Fisheries Convention, see T.I.A.S. No. 7078, 486 U.N.T.S. 158-80. Member countries of the Commission were: Belgium, Bulgaria, Cuba, Denmark, Finland, France, German Democratic Republic, Federal Republic of Germany, Iceland, Ireland, Netherlands, Norway, Poland, Portugal, Spain, Sweden, United Kingdom and the USSR.

42. The seven countries that denounced the convention were: Belgium, Denmark, France, Federal Republic of Germany, Ireland, Netherlands and the United Kingdom.

43. 24 O.J. EUR. COMM. (No. L 227) 21 (1981) (Legislation). The Convention became effective on March 17, 1982. Members of the Commission are: Denmark (for the Faroe Islands), EEC German Democratic Republic, Iceland, Norway, Sweden and the USSR.

44. *Id.* art. 8.

migrate within the North Atlantic, the Convention for the Conservation of Salmon in the North Atlantic was adopted on January 22, 1982.⁴⁵ The convention, which is designed to promote the restoration, enhancement, and rational management of salmon stocks, reflects the provisions of the 1982 Convention on anadromous stocks,⁴⁶ and attempts to balance the interests of States in whose rivers salmon originate with those of States in whose jurisdiction salmon is fished.⁴⁷ The Salmon Convention establishes the North Atlantic Salmon Conservation Organization, which is comprised of a council and three regional commissions for North America, West Greenland, and the Northeast Atlantic. All contracting parties are members of the council, which provides a forum for consultations and discharges administrative functions. But only coastal States are members of the regional commissions, which consider and propose regulatory measures.⁴⁸

The 1969 convention establishing the International Commission for the Southeast Atlantic Fisheries, which deals with living marine resources off Angola, Namibia, South Africa, and Mozambique, has not been amended yet. After South Africa extended its fisheries jurisdiction to 200 nautical miles in 1977, the government continued negotiations through the commission for the conservation and rational exploitation of resources beyond its 200-nautical-mile limit.⁴⁹ When Angola similarly extended its jurisdiction, the commission reviewed the problems of statistical divisions for data collection and suggested some practical arrangements to reflect the new jurisdictional situation.⁵⁰ Management measures recommended by the com-

45. Convention for the Conservation of Salmon in the North Atlantic, 25 O.J. EUR. COMM. (No. C 70) 10-16 (1982) (Information and Notices) [hereinafter cited as Salmon Convention].

46. 1982 Convention, *supra* note 1, at art. 66. The article was in draft form when the Convention for the Conservation of Salmon in the North Atlantic was adopted.

47. With very few exceptions, fishing of salmon is prohibited beyond 12 nautical miles. Salmon fishing may occur up to 40 nautical miles off the coast of West Greenland and within the fisheries jurisdiction of the Faroe Islands. See Salmon Convention *supra* note 45, at art. 2.

48. Salmon Convention, *supra* note 45, at arts. 5, 10. The member countries of the regional commissions are:

North America: Canada, USA

West Greenland: Canada, EEC, USA.

North-East Atlantic: Denmark (for the Faroe Islands), EEC, Ireland, Norway, Sweden

49. For the text of the Convention on the Conservation of The Living Resources of the Southeast Atlantic, see T.I.A.S. No. 11,408, 801 U.N.T.S. 101.

50. International Commission for the Southeast Atlantic Fisheries, Proceedings and reports of meetings at 23, 154 (1977); see also the document submitted to the Thirteenth Session of the FAO Committee on Fisheries on the activities of regional fisheries bodies at 6-8, FAO Doc. COFI/78/Inf. 6 (1978). In particular, the commission recommended that, where existing statistical divisions were transected by territorial boundaries, such divisions should be further subdivided into small units. Coastal States were requested to transmit to the secretariat the limits they would like to see introduced by the commission for the purposes of data collection.

mission now are limited mostly to resources found in waters off Namibia.

Similarly, no change has been introduced in the 1966 convention establishing the International Commission for the Conservation of Atlantic Tunas. However, Portugal suggested in 1982 that the convention be amended since its underlying philosophy differed substantially from the new concepts embodied in the 1982 convention.⁵¹

The question of adjustment to the new regime of the oceans for the International Baltic Sea Fishery Commission arose after Sweden decided in August 1977 to extend its jurisdiction over fisheries with effect from January 1, 1978,⁵² and several other coastal States followed suit.⁵³ The 1973 convention⁵⁴ establishing the commission provided for the review of the convention if any contracting party claimed jurisdiction beyond twelve nautical miles.⁵⁵ Contracting parties amended the convention in 1977 because of a belief in the continued importance of the commission even after the division of the Baltic Sea into areas under national control. When a protocol to this end was adopted in 1982, all member coastal States had extended their jurisdiction, and national areas covered the entire Baltic Sea.⁵⁶ Under the amended convention, the commission may recommend measures establishing a total allowable catch or limiting the amount of fishing with respect to species, stocks, areas, or fishing periods. The commission, however, may no longer allocate fishing rights among the member countries.⁵⁷

In April 1978, the 1952 convention establishing the International North Pacific Commission was amended substantially by a protocol

51. See 1982-1983 Report of the Int'l Comm'n for the Conservation of Atlantic Tunas, pt. 1 at 61-62.

52. Swedish Fishing Ministry Decree (August 1977) (on file with author).

53. For example, Poland extended its jurisdiction on Dec. 17, 1977 and the German Democratic Republic did so on Dec. 22, 1977.

54. 6 I.L.M. 1291 (1973).

55. *Id.* Contracting parties to the 1973 Baltic Sea Convention were Denmark, Finland, Poland, Sweden, the USSR, the Federal Republic of Germany and the German Democratic Republic.

56. The text of the Protocol was published in 26 O.J. EUR. COMM. (C 117) 10-11 (1983) (Information and Notices). The protocol, which also provides for the accession of the European Economic Communities to the convention as amended to replace Denmark and the Federal Republic of Germany, will take effect after Poland receives notification of acceptance by all contracting parties to the 1973 convention.

57. The amended convention did not change the procedure for adoption of the commission's recommendations. Adoption still requires a two-thirds majority. Any recommendation concerning areas under the jurisdiction of one or more contracting States is binding on those states only with their approval.

signed by the three member countries.⁵⁸ As expected, the revised convention no longer mentions the "principle of abstention" on which the 1952 text was based. According to that principle, the contracting parties agreed to abstain from fishing outside territorial waters for species exploited by other contracting parties when those resources were already under full exploitation and were subjected to an effective program of research and management.⁵⁹ Another change concerns the system of reciprocal inspection found in the 1952 convention. The system now applies only to waters outside the 200-nautical-mile limit. The protocol also redefines the functions of the commission. In addition to recommending the regulation of Japanese salmon fishing operations in the area, the commission now is entrusted with promoting and coordinating scientific studies of anadromous species. The commission also provides a forum for cooperation among the contracting parties for the study, analysis, and exchange of scientific information concerning non-anadromous species.⁶⁰

On March 29, 1979, Canada and the United States signed a protocol amending the 1953 convention establishing the International Pacific Halibut Commission.⁶¹ The amendments reflect the 200-nautical-mile exclusive fisheries zones established by both countries. In particular, the amendments forbid national fishing vessels of either party or foreign vessels licensed by either party to fish for halibut in waters within the exclusive fisheries jurisdiction of the other party, except as provided in the annex to the convention.⁶² The annex provides for measures regulating the fisheries, including apportionment of the annual catch in the convention area. Any changes in the allocation must be recommended by the commission.⁶³

Pending delimitation of maritime boundaries between Canada and the United States in the convention area, the 1979 protocol provides for several interesting interim principles that will be applied in the boundary regions: (1) neither party shall authorize fishing for halibut by vessels of third parties; (2) as between the parties, enforcement of the convention shall be carried out by the flag State; and (3) either party may enforce the convention against third party vessels

58. The protocol came into force on February 15, 1979. The three member countries of the commission are Canada, Japan and the USA.

59. For the text of the International Convention for the High Seas Fisheries of the North Pacific Ocean, see T.I.A.S. No. 2770, 205 U.N.T.S. 80-101.

60. Interestingly, the contracting parties want to establish an international organization with broader membership dealing with fish resources other than anadromous species.

61. Protocol Amending the Convention Establishing the International North Pacific Commission, Feb. 15, 1979, *reprinted in* 9 *NEW DIRECTIONS IN THE LAW OF THE SEA*, 233-49 (M. Nordquist & K. Simmonds eds. 1980).

62. *Id.*

63. *Id.*

fishing for halibut or engaging in related activities.⁶⁴

Canada and the United States also have reviewed the International Pacific Salmon Fisheries Commission, which manages the salmon resources of the Fraser River and its tributaries, and areas off the estuary. The draft of a new treaty is near finalization.⁶⁵ The treaty's main objective is to control the interception of salmon that are caught in one country but would have spawned in streams of the other country. In particular, the draft treaty establishes an independent arbitration panel of scientists and a two-year fishing regime for chinook salmon.⁶⁶ The concerns of various groups directly affected by the draft treaty relate less to the proposed institutional change than to the allocation question, that is, the relative shares of chinook salmon subject to interception by both parties.⁶⁷

Member countries of other existing regional fisheries commissions will need to review the functions or at least the *modus operandi* of the commissions. Considerable efforts already have been made, so far without success, to replace the 1949 convention establishing the Inter-American Tropical Tuna Commission.⁶⁸ Reconciling viewpoints of coastal States in the eastern Pacific concerning their rights over highly migratory species seems particularly difficult. However, in March 1983, Costa Rica, Panama, and the United States signed the Eastern Pacific Ocean Tuna Fishing Agreement,⁶⁹ which does not prejudice the parties' position on the extent and nature of their sovereign rights over maritime waters. The agreement establishes a council, which primarily issues licenses for a fee to fishing vessels flying the flag of the parties. After deducting a percentage to cover administrative costs, the council will disburse annually the balance to the parties in proportion to the volume of tuna taken within the parties' 200-nautical-mile jurisdictional zones.⁷⁰

The agreement also contains several provisions on conservation

64. *Id.*

65. See Chandler, *US/Canada Interception Treaty Nears Finalization After 13 Years*, 63 NAT'L FISHERMAN 65 (1983); Phillips, *EUROFISH REP.* FS/6 (1983).

66. *Id.*

67. *Id.*

68. For the text of the Convention for the establishment of an Inter-American Tropical Tuna Commission of May 31, 1945, see T.I.A.S. No. 1041, 80 U.N.T.S. 4-17. The commission does not include in its membership coastal States from South America. Costa Rica and Mexico withdrew from the commission in 1978.

69. See Report of the Expert Consultation on the Conditions of Access to the Fish Resources of the Exclusive Economic Zones, *FAO Fisheries Rep.* No. 293, at 189-94 (Rome, Apr. 11-15 1983). The agreement will take effect when a coastal State in the region deposits the fifth instrument of ratification or adherence. *Id.*

70. *Id.*

and management measures. For example, if the council decides that an urgent need exists to conserve tuna resources,⁷¹ the contracting parties must consult on conservation requirements among themselves and with non-member countries whose nationals fish for tuna in the agreement area on a meaningful scale. Once all States whose nationals fish for tuna on a meaningful scale are contracting parties, the council may formulate interim conservation measures.⁷²

Parties to the agreement, recognizing its transitory nature, intend to continue efforts to create a new regime for the conservation, management, and orderly exploitation of tuna resources in the eastern Pacific Ocean. The parties believe that the regime should include equitable guaranteed quotas for coastal States based, *inter alia*, upon the concentration of tuna resources.⁷³

Several governments established the South Pacific Forum Fisheries Agency, first on an informal basis in 1978 and then under a convention adopted in July 1979.⁷⁴ The functions of the agency include the harmonization of member countries' policies for fisheries management, cooperation with distant-water fishing countries, cooperation in surveillance and enforcement, and cooperation in the access to 200-nautical-mile zones of other member countries.⁷⁵

To bring expanding foreign tuna fishing activities under more effective control, the agency recently agreed that subregional cooperation could be sought through appropriate arrangements among the countries directly concerned.⁷⁶ In this connection, representatives from the Federated States of Micronesia, Kiribati, the Marshall Islands, Nauru, Papua New Guinea, and the Solomon Islands signed the Nauru Agreement in February 1982.⁷⁷ This agreement, which came into force in April 1983, provides a coordinated approach to the control of fishing of shared stocks by foreign vessels. Under the agreement, the parties will establish uniform terms and conditions regarding licensing procedures, the placement of observers on board,

71. *Id.*

72. *Id.*

73. *Id.* The council's decision must be based on a scientific report submitted by a competent international agency. *Id.*

74. For the text of the Convention establishing the South Pacific Forum Fisheries Agency, see FAO FISHERIES REP. NO. 293, at 201-04 (Rome 1983). See also International Environmental Law-Multilateral Treaties, N.BZUB7/VI/82. Agency members are Australia, New Zealand, and developing island States in the South Pacific.

75. *Id.*

76. The agreement may not erode in any way the principles of the 1979 convention, especially the provisions concerning coastal States' sovereign rights over highly migratory species within 200-nautical-mile zones. See Activities of regional fishery bodies and other international organizations concerned with fisheries 14 (Aug. 1983) FAO Doc. COFI/1983/Inf.6 (1983).

77. For the text of the Nauru Agreement of February 11, 1982, concerning Cooperation in the Management of Fisheries of Common Interest, see FAO FISHERIES REP. NO. 293 at 206-09 (Rome 1983).

log-books, catch and position reporting, and marking equipments. The parties will also explore the possibility of establishing a centralized licensing system of foreign fishing vessels and coordinating their monitoring and surveillance activities.⁷⁸

Also related to fisheries management is the agreement reached at the April-May 1982 meeting of the South Pacific Forum Fisheries Agency on a comprehensive plan to harmonize and coordinate fisheries regimes and access agreements.⁷⁹ Under the plan only foreign fishing vessels which are accorded "good standing" status on the regional register at the agency's headquarters should be granted fishing licenses in the region. The plan also includes extensive recommendations on uniform reporting requirements for licensed foreign fishing vessels; uniform catch and effort log-sheets; position and catch reporting requirements for transiting vessels on entering the fishery waters of the region, as well as storage of gear requirements; model provisions for inclusion in access agreements; and fuller cooperation between coastal States sharing common fisheries.⁸⁰

The need to adapt regional fishery commissions to the new regime of the oceans explains the FAO's modification of the structure of commissions established within its framework. These commissions originally were designed to cover wide and often ill-defined sea areas where coastal States were exclusively or predominantly developing countries. In recent years, the FAO developed the concept of "natural management areas" based on such factors as shared stocks or fisheries, common problems or opportunities, or other natural affinities among the coastal States.⁸¹

Regional fishery commissions are expected to establish subregional committees for each of the management areas. Subregional committees already have been established for the Lesser Antilles by the Western Central Atlantic Fishery Commission; for the Gulf of Oman, the gulf between Iran and the Arabian Peninsula, the southwest Indian Ocean, and the Bay of Bengal by the Indian Ocean Fishery Commission; and for the South China Sea by the Indo-Pa-

78. *Id.* An arrangement implementing the Nauru Agreement and setting forth interim terms and conditions of access to the fisheries zones of the Parties has been signed and awaits ratification.

79. See Activities of regional fishing bodies and other international organizations concerned with fisheries 14 (August, 1983) FAO Doc. COFI/1983/Inf.6 (1983).

80. *Id.*

81. See Report on the Thirteenth Session of the FAO Committee on Fisheries, para. 18 (Rome, Oct. 8-12, 1979); Report of the Seventy-Sixth Session of the Council of FAO, para. 19 (Rome, Nov. 6-8, 1979); Report of the Twentieth Session of the Conference of FAO, para. 129 (Rome, Nov. 10-29, 1979).

cific Fishery Commission.⁸² In all the subregional committees, membership is restricted to coastal States. The committees are assigned, within their subregions, the same functions as those of the parent regional commissions regarding fishery research, management, and development.⁸³ The only exception concerns highly-migratory tuna, which require intergovernmental management on a wider geographical basis. For this reason, both the Indian Ocean Fishery Commission and the Indo-Pacific Fishery Commission have established special committees to manage tuna stocks. Both commissions agreed, however, that the subregional committees established on a geographical basis might preliminarily consider management measures for tuna stocks occurring within the committees' respective geographic areas.⁸⁴

In recent years, regional economic groupings have increased their involvement in fishery matters. For example, the Latin American Economic System,⁸⁵ the Organization of Eastern Caribbean States,⁸⁶

82. For the establishment of the Committee for the Development and Management of Fisheries in the Lesser Antilles, see Report of the Third Session of the Western Central Atlantic Fishery Commission (Havana, Cuba, Nov. 18-22, 1980) in FAO FISHERIES REP. NO. 246 at 14-15 (Rome, 1981). For the establishment of the Committee for the Development and Management of the Fishery Resources of the Gulfs, see Report of the Third Session of the Indian Ocean Fishery Commission (Colombo, Sri Lanka, Oct. 9-13, 1972) in FAO FISHERIES REP. NO. 130 at 6-7 (Rome, 1973). For the establishment of the Committee for the Development and Management of Fisheries in the Southwest Indian Ocean and of the Committee for the Development and Management of Fisheries in the Bay of Bengal, see Report of the Sixth Session of the Indian Ocean Fishery Commission (Perth, Australia, Feb. 25-29, 1980) in FAO FISHERIES REP. NO. 234 at 10-11 (Rome, 1980). For the establishment of the Committee for the Development and Management of Fisheries in The South China Sea, see Indo-Pacific Fishery Commission, Proceedings, Nineteenth Session 5-8 (Kyoto, Japan, May 21-30, 1980) (Bangkok, Thailand, 1980).

83. See authorities cited *supra* note 82.

84. Report of the Sixth Session of the Indian Ocean Fishery Commission (Perth, Australia, Feb. 25-29, 1980), in FAO FISHERIES REPORT NO. 234, para. 62 (Rome, 1980).

85. An agreement providing for the establishment of a Latin American Organization for the Development of Fisheries was signed on October 29, 1982, under the aegis of the Latin American Economic System (SELA). See Activities of regional fishing bodies and other international organizations concerned with fisheries 20-21 (August, 1983) FAO Doc. COFI/1983/Inf.6 (1983). The organization, which will replace SELA's Action Committee on Seafood and Freshwater Products, will have very wide functions, including promotion of the optimum utilization of marine fishery resources through the implementation of national conservation policies. *Id.* at 21. For the text of the agreement see Academic Internacional de Derecho Pesquero, No. 6 at 47-49 (February, 1983).

86. A main objective of the Organization of Eastern Caribbean States (OECS) is promotion of intraregional cooperation and adoption of harmonized policies by member countries in several areas including the sea and its resources. See The Courier, Africa-Caribbean-Pacific-European Community 35-36 (Sept./Oct. 1983). OECS already has organized workshops for the Lesser Antilles region in cooperation with FAO: one workshop on the harmonizations of fisheries legislation (Apr./May 1983) and another on the harmonization and coordination of fisheries regimes, regulations, and access agreements (Sept./Oct. 1983).

the Association of Southeast Asian Nations,⁸⁷ and the West African Economic Community⁸⁸ have important fishery components in their activity programs. However, the economic groups generally have not, or at least not yet, concerned themselves directly with the management of living resources in waters under the jurisdiction of their member States. The only exception is the European Economic Community, which is not designed merely to harmonize the policies of its member States, but constitutes a sophisticated mechanism of integration in several sectors, including the management of fisheries.⁸⁹

CONCLUSION

A review of the institutional arrangements developed over the last decades has been necessary to facilitate international cooperation in fisheries management because of the fundamental changes in the legal regime of the oceans. Previous arrangements involving a network of intergovernmental fishery commissions responsible for a particular species or for all fishery resources in specific regions no longer are viable. When countries began expanding national jurisdiction over fisheries, the management functions and sometimes the membership of the commissions were adapted quickly in several cases. The amended or renegotiated texts of the relevant agreements and con-

87. The Association of Southeast Asian Nations (ASEAN) has established a Committee on Food, Agriculture, and Forestry, which includes a coordinating group on fisheries. *See* 10 Years ASEAN, Association of Southeast Asian Nations 39 (Jakarta, 1978). At its fifth meeting in July 1983, the group prepared a draft ASEAN Ministerial Understanding on Fisheries Cooperation. The draft, which was considered at a ministerial meeting in October 1983, provides for the exchange of fishery resource information relevant to management and common action for the evaluation of shared stocks and migratory species. *See* Report of the Fifth Meeting of the ASEAN Ministers of Agriculture and Forestry, Annex I (Singapore, Oct. 20-22).

88. The West African Economic Community (WAEC) has been mainly concerned so far with the establishment of a joint fishing and fish marketing company, and the creation of a fishery science institute. *See* Regional and Sub-regional Cooperation in Fisheries 1-3, FAO Doc. CECAF/VII/81/9 (March 1981); Regional and Sub-regional Cooperation in Fisheries 2-3, FAO Doc. CECAF/VIII/82/2 (July 1982).

89. On January 25, 1983, the Council of Ministers of the European Economic Community (EEC) approved: (a) a new common fisheries policy based on a community system for the conservation of resources; (b) a set of structural measures; (c) a common organization of the fishery market; and (d) a common external policy. Council Regulation (EEC) No. 170/83 of January 25, 1983 establishing a Community System for the Conservation and Management of Fishery Resources in 26 O.J. EUR. COMM. (No. L 24) 1-13 (1983) (Legislation). The regulation establishing a community system for the conservation and management of fishery resources provides for the allocation of resources among member States reflecting traditional fishing activities, specific needs of regions which are especially dependent on fishing, and the loss of fishing opportunities in waters now under the exclusive jurisdiction of non-member countries. *Id.* arts. 4, 7.

ventions generally extinguished the commissions' management powers within national exclusive economic zones or limited the exercise of those powers by requiring the affirmative vote of the coastal States concerned. Coastal States' interests predominated in several amended or renegotiated texts. These texts required regional commissions to consider conservation and management measures adopted by coastal States for waters under national jurisdiction when formulating measures for areas outside the 200-nautical-mile limit.⁹⁰

Even though most fish resources previously freely exploited have been brought under national jurisdiction, international collaboration in fishery research and management remains important. For instance, many fish stocks are shared because they occur in the exclusive economic zones of two or more States, or they migrate between one or more exclusive economic zones and the high seas. In those cases, the stocks cannot be managed in isolation by individual coastal or fishing States. The continuing need for intergovernmental cooperation has already been widely recognized, which is an encouraging sign for the role of fishery commissions in the new regime of the oceans. In addition, the commissions provide a useful and often irreplaceable forum for consultation and cooperation in scientific aspects of fisheries. The Commissions may also offer advice on the conservation and management of fishery resources in waters under national jurisdiction.

Fishery bodies serving areas where coastal States are exclusively or predominantly developing countries will probably play an even greater role in future years. This is particularly true for the commissions and committees established under the FAO. The FAO recognizes the need to assist developing coastal States in acquiring self-sufficiency to benefit more fully from their fisheries resources under the law of the sea. To assist those States, the FAO has created several subregional bodies to deal with all aspects of the development of fisheries. The main objectives of the subregional bodies are to facilitate the transfer of technology by delivering technical assistance and to promote an integrated and comprehensive approach to fisheries at the national and subregional levels.⁹¹

Recent institutional adjustments described in this article have not given rise to any meaningful discussions regarding the desirability of establishing mechanisms to coordinate regional commissions⁹² or, in

90. The problem of different conservation and management measures inside and outside the 200-nautical-mile limit occurs infrequently, but is nevertheless important.

91. Report of the Conference of FAO, Twentieth Session, at paras. 123-35 (Rome, Nov. 10-28, 1979).

92. The FAO Committee on Fisheries, which is the only worldwide intergovernmental forum in which fisheries problems of an international character are discussed on a

view of the competing uses of the oceans, of merging bodies representing different interests. The sectoral approach of resource management traditionally followed may explain the degree of cooperation achieved, often against many odds, and the maintenance of nearly all regional fishery commissions established under the previous regime of the oceans. Furthermore, conflicting uses of the oceans may pose new problems, but any serious international problems will probably arise within each particular sector.⁹³

The issue of effective fisheries management may receive increased attention in coming years.

regular basis, has neither sought nor been assigned the role of coordinating regional commissions. The committee has reviewed the activities of regional fishery commissions, promoted action leading to the establishment of new bodies where appropriate, and discussed general problems of management. But the committee never has assumed a direct management function.

93. Such problems may include overfishing or the need for traffic separation schemes.

SUMMARY INFORMATION ON
MARINE FISHERY BODIES

Body	Establishment	Headquarters	Membership	Area of Competence	Main functions
<u>WORLD-WIDE</u>					
International Whaling Commission	1946 International Convention	Cambridge, UK	Antigua and Barbuda, Argentina, Australia, Belize, Brazil, Chile, China, Costa Rica, Denmark, Egypt, Finland, France, Germany (Fed. Rep. of), Iceland, India, Jamaica, Japan, Kenya, Korea (Rep. of), Mauritius, Mexico, Monaco, the Netherlands, New Zealand, Norway, Oman, Peru, the Philippines, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Seychelles, South Africa, Spain, Sweden, Switzerland, USSR, UK, USA, Uruguay	All waters in which whaling is carried out and land stations	To encourage or organize studies relating to whales; to collect and analyze informations; to adopt regulations with respect to the conservation and utilization of whale resources
<u>REGIONAL</u>					
<u>ATLANTIC</u>					
International Commission for the Conservation of Atlantic Tunas	1966 International Convention	Madrid, Spain	Angola, Benin, Brazil, Cape Verde, Canada, Cuba, France, Gabon, Ghana, Ivory Coast, Japan, Korea (Rep. of), Morocco, Portugal, Sao Tome and Principe, Senegal, South Africa, Spain, USA, Uruguay, USSR	Atlantic Ocean including the adjacent seas	To study the population of tuna and tuna-like fishes; to make recommendations designed to maintain these populations at levels permitting the maximum sustainable catch

Body	Establishment	Headquarters	Membership	Area of Competence	Main functions
International Commission for the Southeast Atlantic Fisheries	1969 International Convention	Madrid, Spain	Angola, Bulgaria, Cuba, France, the German Democratic Republic, Germany (Fed. Rep. of), Iraq, Israel, Italy, Japan, Korea (Rep. of), Poland, Portugal, Romania, South Africa, Spain, USSR	Southeast Atlantic south of the Congo River and north of parallel 50°S	To carry out studies and research; to make recommendations for joint action through closed areas and seasons, size limitations, gear control, total catch limit and other measures
Fishery Committee for the Eastern Central Atlantic	1967 Resolution of FAO Council (under Article VI-2 of FAO Constitution)	Rome, Italy	Benin, Cameroon, Cape Verde, Congo, Cuba, France, Gabon, Gambia, Ghana, Greece, Guinea, Guinea-Bissau, Italy, Ivory Coast, Japan, Korea (Rep. of), Liberia, Mauritania, Morocco, Nigeria, Norway, Poland, Romania, Sao Tome and Principe, Senegal, Sierra Leone, Spain, Togo, USA, Zaire	Eastern Central Atlantic between Cape Sparte and the Congo River	To promote programs of development for rational utilization of fishery resources; to assist in establishing bases for regulatory measures; to encourage training
Northwest Atlantic Fisheries Organization	1978 International Convention	Dartmouth, Nova Scotia, Canada	Canada, Cuba, Bulgaria, EEC, Faroe Islands (Denmark), the German Democratic Republic, Iceland, Japan, Norway, Poland, Portugal, Romania, USSR	Northwest Atlantic Ocean	To contribute to the optimum utilization and national management and conservation of fishery resources

Body	Establishment	Headquarters	Membership	Area of Competence	Main functions
North-East Atlantic Fisheries Commission	1980 International Convention	London, UK	Denmark (for Faroe Islands), EEC, German Democratic Republic, Iceland, Norway, Sweden, USSR	Northeast Atlantic Ocean excluding the Baltic Sea and the Mediterranean	To provide a forum for consultation and exchange of information on the state of fishery resources and management policies including examination of the overall effect of such policies on fishery resources
North Atlantic Salmon Conservation Organization	1982 International Convention	Edinburgh, UK	Canada, Denmark (for Faroe Islands), EEC, Iceland, Norway, Sweden, USA	Atlantic Ocean north of 36°N latitude	To promote the acquisition, analysis, and dissemination of scientific information pertaining to salmon stocks in the North Atlantic Ocean; to promote the conservation, restoration, enhancement, and rational management of salmon stocks in the North Atlantic Ocean through international cooperation

Body	Establishment	Headquarters	Membership	Area of Competence	Main functions
Regional Fisheries Advisory Commission for the Southwest Atlantic	1961 Resolution of FAO Conference (under Article VI-1 of FAO Constitution)	Rome, Italy	Argentina, Brazil, Uruguay	Southwest Atlantic and inland waters of member countries	To develop an organized approach among members for the management and regional exploitation of marine and inland fishery resources; to encourage training and cooperative investigations
Western Central Atlantic Fishery Commission	1973 Resolution of FAO Council (under Article VI-1 of FAO Constitution)	Rome, Italy	Bahamas, Barbados, Brazil, Colombia, Cuba, Dominica, France, Grenada, Guatemala, Guinea, Guyana, Haiti, Italy, Jamaica, Japan, Korea (Rep. of), Mexico, the Netherlands, Nicaragua, Panama, Saint Lucia, Spain, Suriname, Trinidad and Tobago, UK, USA, Venezuela	Western Central Atlantic Ocean	To facilitate the coordination of research; to encourage education and training; to assist Member governments in establishing rational policies, to promote the rational management of resources that are of interest to two or more countries

Body	Establishment	Headquarters	Membership	Area of Competence	Main functions
MEDITERRANEAN					
General Fisheries Council for the Mediterranean	1949 International Agreement under aegis of FAO (Article XIV of FAO Constitution)	Rome, Italy	Algeria, Bulgaria, Cyprus, Egypt, France, Greece, Israel, Italy, Lebanon, Libya, Malta, Monaco, Morocco, Romania, Spain, Syria, Tunisia, Turkey, Yugoslavia	Mediterranean, Black Sea, and connecting waters	To promote the development, conservation, and management of living marine resources; to formulate and recommend conservation measures; to encourage training and cooperative projects
BLACK SEA					
Mixed Commission for Black Sea Fisheries	1959 International Convention	Rotation among member countries	Bulgaria, Romania, USSR	Black Sea	To work out regulatory measures with a view to the conservation and augmentation of stocks; to limit size of fish caught; to coordinate the planning of scientific research; to organize exchange of information

Body	Establishment	Headquarters	Membership	Area of Competence	Main functions
BALTIC SEA					
International Baltic Sea Fishery Commission	1973 International Convention	Warsaw, Poland	Denmark, Finland, the German Democratic Republic, Germany (Fed. Rep. of), Poland, Sweden, USSR	Baltic Sea and the Belts	To keep the fisheries under review; to coordinate scientific research; to recommend regulatory measures including catch quotas and enforcement schemes
INDIAN OCEAN					
Indian Ocean Fishery Commission	1967 Resolution of FAO Council (under Article VI-1 of FAO Constitution)	Rome, Italy	Australia, Bahrain, Bangladesh, the Comoros, Cuba, Ethiopia, France, Greece, India, Indonesia, Iran, Iraq, Israel, Japan, Jordan, Kenya, Korea (Rep. of), Kuwait, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, the Netherlands, Norway, Oman, Pakistan, Poland, Portugal, Qatar, Saudi Arabia, Seychelles, Somalia, Spain, Sri Lanka, Sweden, Tanzania, Thailand, United Arab Emirates, UK, USA, Viet Nam	Indian Ocean and adjacent seas (excluding the Antarctic area)	To promote programs for fishery development and conservation; to promote research and development activities; to examine management problems with particular reference to offshore resources

Body	Establishment	Headquarters	Membership	Area of Competence	Main functions
PACIFIC OCEAN					
Inter-American Tropical Tuna Commission	1949 International Convention	La Jolla, California, USA	Canada, France, Japan, Nicaragua, Panama, USA	Eastern Pacific Ocean	To gather and interpret information on tuna; to conduct scientific investigation; to recommend proposals for joint action for conservation
International Pacific Halibut Commission	1953 International Convention	Seattle, Washington, USA	Canada, USA	North Pacific Ocean and Bering Sea	To coordinate scientific studies relating to the halibut fishery; to formulate regulations designed to develop the stocks of halibut to those levels which will permit optimum yield
International North Pacific Fisheries Commission	1952 International Convention	Vancouver, Canada	Canada, Japan, USA	North Pacific Ocean	To provide for scientific studies regarding anadromous species; to provide a forum for cooperation with respect to the study relating to stocks of nonanadromous species

Body	Establishment	Headquarters	Membership	Area of Competence	Main functions
Indo-Pacific Fishery Commission	1948 International Agreement under aegis of FAO (Article XIV of FAO Constitution)	Bangkok, Thailand	Australia, Bangladesh, Burma, Democratic Kampuchea, France, India, Indonesia, Japan, Korea (Rep. of), Malaysia, Nepal, New Zealand, Pakistan, the Philippines, Sri Lanka, Thailand, UK, USA, Viet Nam	Indo-Pacific area	To keep fishery resources under review to formulate and recommend conservation and management measures; to keep under review the economic and social aspects of fishing; to encourage training and research
North Pacific Fur Seal Commission	1952 International Convention	Washington, D.C., USA	Canada, Japan, USA, USSR	North Pacific Ocean	To formulate and coordinate research programs; to recommend conservation measures and sealing methods
Permanent Commission of the Conference on the Use and Conservation of the Marine Resources of the South Pacific	1952 International Convention	Quito, Ecuador	Chile, Colombia, Ecuador, Peru	South Pacific (east)	To carry out studies and adopt resolutions with a view to the conservation and improved use of resources; to standardize the regulations governing fishing

Body	Establishment	Headquarters	Membership	Area of Competence	Main functions
South Pacific Forum Fisheries Agency	1979 International Convention	Honiara, Solomon Islands	Australia, Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu, Western Samoa	South Pacific (central and west)	To harmonize fishery management policies; to facilitate cooperation in surveillance and enforcement, processing, marketing, and relations with third countries; to arrange for reciprocal access by member countries to their respective 200-mile zones
ANTARCTICA					
Commission for the Conservation of Antarctic Marine Living Resources	1980 International Convention	Hobart, Australia	Argentina, Australia, Belgium, Chile, EEC, France, German Democratic Republic, Federal Republic of Germany, Japan, New Zealand, Norway, Poland, South Africa, USSR, USA	Area "south of 60°S" latitude and area defined by geographical coordinates based on the Antarctic convergence	To promote the conservation and the rational exploitation of Antarctic marine living resources, to facilitate research into and comprehensive studies on Antarctic marine living resources. To formulate, adopt, and revise conservation measures on the basis of the best scientific evidence available.